

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : (To Be Assigned) Confirmation : (TBA)
PCT/JP2004/007741 No.
First Named Inventor : Akihiro NISHIMURA
Filed : December 2, 2005
TC/A.U. : (To Be Assigned)
Examiner : (To Be Assigned)
Docket No. : 038685.57096US
Customer No. : 23911
Title : Exhaust Gas Recirculation Control Device for Diesel
Engine

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 AND 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, the attached Form PTO-1449 lists documents which the Examiner may deem relevant to patentability of the claims of the above-identified application.

I. Time Period of Submission

This Information Disclosure Statement is submitted:

☒ 1) no later than three months from the application's filing date or 2) before the mailing date of the first Office Action on the merits (whichever is later) or 3) before a first Office Action after the filing of a Request for Continued Examination, and therefore no statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

☐ 2) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, a Notice of Allowance, or an action closing prosecution (*Ex parte Quayle*), (whichever is earlier), and therefore Applicant is filing concurrently herewith:

☐ a Statement under 37 C.F.R. § 1.97(e); or

☐ a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

☐ 3) after either a Final Office Action or a Notice of Allowance, but before payment of the Issue Fee, and therefore Applicant is submitting herewith:

a Statement under 37 C.F.R. § 1.97(e); and

a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

II. Statement Under 37 C.F.R. § 1.97(e)

☐ I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

☐ I hereby state that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making a reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

III. Submission of Non-English Language Documents

☒ The following is a concise explanation of relevance of the non-English language documents listed in the attached Form PTO-1449:

☒ The relevance of document(s) AA to the subject matter of the present invention is/are provided in the specification of the above-identified application.

☒ Corresponding foreign or international report(s) citing document(s) AB-AF, together with an English-language version(s) (if not already in English) of that portion of the report(s) indicating the degree of relevance found by the foreign office(s) is/are submitted.

☐ English language family member publication(s) of document(s) _____ is/are noted on Form PTO-1449.

☒ English language abstract(s) is/are submitted for document(s) AB-AF.

☐ English translation(s) of the foreign language document(s) _____ is/are submitted herewith.

☐ Applicant submits the following explanations:
_____.

IV. Continuations/Divisionals/PCT National Stage Applications

☐ Documents _____ were of record in parent application Serial No. _____, filed _____, from which this application claims benefit. As provided in 37 C.F.R. §1.98(d), copies of the documents are not being provided since they were previously submitted to or cited by the United States Patent and Trademark Office in the afore-mentioned parent application.


☒ Copies of document(s) AB-AF listed on the attached form PTO-1449 have already been provided by the International Searching Authority, therefore, duplicate copies are not attached hereto.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

If necessary, this paper should be considered as an authorization to charge Deposit Account 05-1323, Attorney Docket No.: 038685.57096US, for the fee set forth in 37 C.F.R. § 1.17(p).

Respectfully submitted,

December 2, 2005



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| | | | Application Number | (To Be Assigned) PCT/JP04/007741 | |
| | | | Filing Date | December 2, 2005 | |
| | | | First Named Inventor | Akihiro NISHIMURA | |
| | | | Art Unit | (To Be Assigned) | |
| | | | Examiner Name | (To Be Assigned) | |
| Sheet | 1 | of | 2 | Attorney Docket Number | 038685.57096US |

| U.S. PATENT DOCUMENTS | | | | | | |
|-----------------------------------|--------------------------|--|--|--------------------------------|--|---|
| Examiner Initials ¹ | Cite No. ¹ | Document Number | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | | |
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| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|--------------------------|---|--------------------------------|--|--|----------------|
| Examiner Initials' | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ –Number ⁴ –Kind Code ⁵ (if known) | | | | |
| | AA | JP 63-134844 A | 06/07/1988 | NIPPON DENSO CO., LTD. | | ABS ONLY |
| | AB | JP 62-162761 A | 07/18/1987 | NIPPON DENSO CO., LTD. | | ABS ONLY |
| | AC | JP 58-197461 A | 11/17/1983 | NISSAN MOTOR CO., LTD. | | ABS ONLY |
| | AD | JP 55-116101 A | 09/06/1980 | NISSAN MOTOR CO., LTD. | | ABS ONLY |
| | AE | JP 2002-256982 A | 09/11/2002 | TOYOTA MOTOR CORP. | | ABS ONLY |
| | AF | JP 63-038678 A | 02/19/1988 | NISSAN MOTOR CO., LTD. | | ABS ONLY |
| | AG | JP 63-259148 A | 10/26/1988 | MITSUBISHI MOTORS CORP. | | ABS ONLY |

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|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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| | | | Application Number | (To Be Assigned) | |
| | | | Filing Date | December 2, 2005 | |
| | | | First Named Inventor | Akihiro NISHIMURA | |
| | | | Art Unit | (To Be Assigned) | |
| | | | Examiner Name | (To Be Assigned) | |
| Sheet | 2 | of | 2 | Attorney Docket Number | 038685.57096US |

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|--------------------------|---|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | AH | INTERNATIONAL SEARCH REPORT DATED September 14, 2004 (FIVE (5) PAGES) | |
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¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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